REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I.   STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1, 3-8 are pending. Claims 2 and 9 have been canceled without prejudice or disclaimer of subject matter. Claims 1, 7, and 8, which are independent, are amended in this paper. Support for this amendment is provided throughout the Specification, specifically at page 19.

No new matter has been introduced. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

II.   REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 1 and 3-9 were rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Applicant's Admitted Prior Art (hereinafter, merely "AAPA") in view of U.S. Patent No. 5,956,745 to Bradford et al. (hereinafter, merely "Bradford").

Frommer Lawrence & Haug LLP
745 Fifth Avenue
New York, NY 10151
212-588-0800
Customer Number 20999
                                         Page 8 of 13   00641876

III. RESPONSE TO REJECTIONS

Claim 1 recites, *inter alia*:

> "**wherein the control information includes information for identifying the corresponding segment table, the number of the free unit recording areas indicated by the segment table, the total capacity of the free unit areas, the address of the first free unit recording area indicated by the segment table, and a flag for specifying whether or not the corresponding segment table is to be read at the time of recording the data files.**" (Emphasis added)

Applicants submit that AAPA and Bradford, taken either alone or in combination, fail to teach or disclose the above-identified features of claim 1. Specifically, nothing is found that discloses or suggests wherein the control information includes information for identifying the corresponding segment table, the number of the free unit recording areas indicated by the segment table, the total capacity of the free unit areas, the address of the first free unit recording area indicated by the segment table, and a flag for specifying whether or not the corresponding segment table is to be read at the time of recording the data files, as recited in claim 1.

The Office Action concedes that AAPA fails to disclose or suggest the recited creating means and the above-recited features of claim 1. The Office Action relies on Figures 6g -6I of Bradford to describe these features. However, Figures 6G-6I, reproduced herein,

Frommer Lawrence & Haug LLP
745 Fifth Avenue
New York, NY 10151
212-588-0800
Customer Number 20999

Page 9 of 13

00641876

U.S. Patent   Sep. 21, 1999   Sheet 8 of 20   **5,956,745**

FIG. 6G

660

SUBALLOCATION BIT MAP TABLE								0-512 BYTES								
	SRB 1								SRB 2							
SUB-BLOCK	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	· · ·
IN-USE	0	1	0	0	0	1	0	1	0	0	1	1	1	0	1	1	· · ·

FIG. 6H

662

SUBALLOCATION BIT MAP TABLE				513-1024 BYTES				· · ·
	SRB 1				SRB 2			· · ·
SUB-BLOCK	1	2	3	4	5	6	7	8	· · ·
IN-USE									· · ·

FIG. 6I

664

SUBALLOCATION BIT MAP TABLE			1025-1536 BYTES			· · ·
	SRB 1			SRB 2		· · ·
SUB-BLOCK	1	2	3	4	5	· · ·
IN-USE						· · ·

FIG. 7

702

706

NEW FILE ALLOCATION TABLE						
VOLUME BLOCKS (FAT CHAIN)						
2	3					
4	5	6				

Indeed, the description of Bradford, figures 6G-6I is as follows:

"FIGS. 6G-6I illustrate bit-maps for some of the suballocation reserve blocks maintained in the target volume 207. As noted, suballocation enables more than one file to be stored in a volume block. These volume blocks, referred to as suballocation reserved blocks (SRBs), are each associated with a specific narrow range of file sizes or ending data fragments. Ending data fragments are those portions of a file that are smaller than the volume block size. In a preferred embodiment of the present invention, the suballocation reserve blocks are based on multiples of 512 bytes. Accordingly, there are suballocation reserve blocks that store files and ending data fragments that are from 1- to 512 bytes, 513-1024 bytes, 1025-1536 bytes, etc. In this embodiment, files that are within 511 bytes of the volume block size are not suballocated. In the exemplary embodiment discussed above wherein the original volume block size is 4 kilobytes, the suballocation reserve blocks can store up to eight 512 byte files or ending data fragments (8.times.512=4096). Accordingly, the suballocation bit-map table 660 associated with such suballocation reserve blocks have eight bits for each of the suballocation reserve blocks, one associated with each of the 512 byte sub-blocks. Referring to FIG. 6G, the first suballocation reserve block contains eight sub-blocks of which the second, sixth and eighth contain files or ending data fragments. A similar arrangement is shown in FIG. 6H for suballocation reserve blocks dedicated to storing files and ending data fragments having 513-1024 bytes. As shown, there are four sub-blocks (4.times.1024=4096). Also, the suballocation bit-map table 664 illustrated in FIG. 6I provides a bit mask indicating whether the sub-block which is dedicated to

00641876

storing 1025-1536 bytes are in use. As shown in FIG. 6I, the suballocation blocks are not restricted to the volume block boundaries but instead span the suballocation reserve blocks as necessary to store the files and ending data fragments. Other suballocation bit-map tables of other size sub-blocks are not shown." (emphasis added)

Thus, Applicants respectfully submit that Bradford describes a sub-allocation reserve block. Specifically, figure 6I of Bradford provides a bit mask indicating whether the sub-block which is dedicated to storing 1025-1536 bytes are in use. Applicants respectfully submit that such disclosure does not teach or suggest control information that includes information for identifying:

a) the corresponding segment table,

b) the number of the free unit recording areas indicated by the segment table,

c) the total capacity of the free unit areas,

d) the address of the first free unit recording area indicated by the segment table,

and

e) a flag for specifying whether or not the corresponding segment table is to be read at the time of recording the data files,

all as recited in claim 1.

Therefore, because Bradford is deficient with respect to a-e, claim 1 is patentable.

Claims 7 and 8 are similar, or somewhat similar, in scope to claim 1, and are therefore patentable for similar or somewhat similar reasons.

Frommer Lawrence & Haug LLP
745 Fifth Avenue
New York, NY 10151
212-588-0800
Customer Number 20999

Page 11 of 13

00641876

IV.   DEPENDENT CLAIMS

Since the other claims are each dependent from one of the independent claims discussed above, they are also patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

Similarly, because Applicants maintain that all claims are allowable for at least the reasons presented hereinabove, in the interests of brevity, this response does not comment on each and every comment made by the Examiner in the Office Action. This should not be taken as acquiescence of the substance of those comments, and Applicants reserve the right to address such comments.
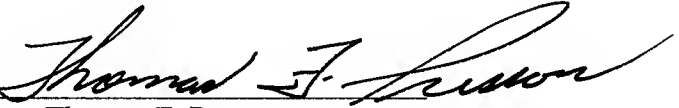
CONCLUSION

In view of the foregoing amendments and remarks, Applicants respectfully submit that all of the claims are in condition for allowance and request early passage to issue of the present application.

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, it is respectfully requested that the Examiner specifically indicate those portions of the reference providing the basis for a contrary view.

Frommer Lawrence & Haug LLP
745 Fifth Avenue
New York, NY 10151
212-588-0800
Customer Number 20999

00641876

Please charge any additional fees that may be needed, and credit any

overpayment, to our Deposit Account No. 50-0320.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicants

By
Thomas F. Presson
Reg. No. 41,442
Ph: (212) 588-0800
Fax: (212) 588-0500

00641876